

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**IONE ROUSSEAU and MARCELO MARTINEZ, on Behalf of Themselves and Others Similarly Situated**

**Plaintiffs,**

**VS.**

**FREDERICK'S BISTRO, LTD. and  
FREDERICK F. COSTA**

## Defendants.

[illegible]

**CIVIL ACTION 5:09-cv-651-XR**

## JURY DEMANDED

## SCHEDULING ORDER

Pursuant to Rule 16, the Court enters the following scheduling order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by 2/22/2010.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by 2/1/2010, and each opposing party shall respond, in writing, by 2/15/2010.
3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by 12/15/09.
4. All parties asserting claims for relief shall file their designation of testifying experts and shall serve on all parties, but not file, the materials required by FED. R. Civ. P. 26(a) (2) (B) by 3/1/2010. Parties resisting claims for relief shall file their designation of testifying experts and shall serve on all parties, but not file, the materials required by FED. R. P. 26(a) (2) (B) by 3/22/2010. All designations of rebuttal experts shall be filed within 15 days of receipt of the report of the opposing expert.

5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within 14 days of receipt of the written report of the expert's proposed testimony, or within 10 days of the expert's deposition, if a deposition is taken, whichever is later.

6. The parties shall complete all discovery on or before 4/16/2010. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. All dispositive motions shall be filed no longer than 5/21/2010. Dispositive motions as defined in Local Rule CV-7(h) and responses to dispositive motions shall be limited to 25 pages in length.

8. This case is set for trial [docket call, or jury selection] on 8/2/2010. The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of trial.

**SIGNED AND ENTERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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**UNITED STATES DISTRICT JUDGE**